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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/713,597	11/14/2003	Tsung-Jung Kuo	PAT-1525	2012
7590	08/31/2005		EXAMINER	
Raymond Sun 12420 Woodhall Way Tustin, CA 92782			CAO, ALLEN T	
			ART UNIT	PAPER NUMBER
			2652	

DATE MAILED: 08/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/713,597

Applicant(s)

KUO ET AL.

Examiner

Allen T. Cao

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-5 and 12-18 is/are allowed.
- 6) ☒ Claim(s) 6-9 is/are rejected.
- 7) ☒ Claim(s) 10 and 11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

1. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Taiwan on 11/29/02. It is noted, however, that applicant has not filed a certified copy of the 10/713,597 application as required by 35 U.S.C. 119(b).
2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 6-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Huang (US. 6,552,993 B2).

Huang discloses an optical disk player having a substrate 1 including an opening 10; a support frame 4 that is pivotably coupled to the substrate 1, the support frame having a projecting tab 43; a gripping plate 5 carried on the support frame 4 and extending into the opening 10; and a slider 2 coupled for slidable movement on the substrate 1, the slider having a block 21 with an angled surface along which the

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projecting tab 30 travels when the slider is moved (column 3, lines 58-65) as set forth in claim 6.

Regarding claim 7, Huang discloses that the substrate 1 has a fixed pin 16 and the slider 4 has a lot 22 which receive the pin.

Regarding claim 8, Huang discloses that the support frame is pivoted as the projecting tab travels along the angled surface (column 3, lines 58-65).

Regarding claim 9, Huang discloses that the slider 4 assumes a first position (slider is in the non-slide position) when an optical disk is not retained in the disk clamping space, and the slider assumes a second position (slider is in the slide mode) when an optical disk is retained in the disk retaining space.

4. Claims 10 and 11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. The following is a statement of reasons for the indication of allowable subject matter:

a) The prior art of record neither discloses nor suggest the combination structural limitations as set forth in claims 6 and 9 and "wherein the block has a top surface that extends from the angled surface, with the projecting tab positioned along the top surface of the block when the slider is in the first position" as further recited in claim 10.

b) The prior art of record neither discloses nor suggest the combination structural limitations as set forth in claims 6 and 9 and "wherein the angled surface has a top portion and a bottom portion, wherein the projecting tab is positioned at the bottom

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portion of the angled surface when the slider is in the second position" as further recited in claim 11.

6. Claims 1-5 and 12-18 are allowed.

7. The following is an examiner's statement of reasons for allowance:

a) The prior art of record neither discloses nor suggest the combination structural limitations as set forth in claim 1. Particularly, the prior art of record neither discloses nor suggests that "the slider having a pressing tab that presses the gripping plate through the opening and into the disk receiving space when a disk is received inside the disk receiving space" as set forth in claim 1.

b) The prior art of record neither discloses nor suggest the combination structural limitations as set forth in claim 1. Particularly, the prior art of record neither discloses nor suggests that "a pressing tab that releasably presses the gripping plate through the opening", as recited in claim 12.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Allen T. Cao whose telephone number is (571) 272-7569. The examiner can normally be reached on Mon - Thurs (7:30 - 6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa T. Nguyen can be reached on (571) 272-7579. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Allen Cao
Primary Examiner

AC
August 7, 2005